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which to redeem the land is not a valid objection, where it does not appear that in sales of this character time to redeem should be given.

[Ed. Note.—For other cases, see Trusts, Cent. Dig. § 251; Dec. Dig. § 196.* 8 Va.-W. Va. Enc. Dig. 693.]

Appeal from Circuit Court, Buckingham County.

Suit by W. E. Hall's administrator against H. M. White and others. From a decree ascertaining and determining the balance due H. M. White, and establishing such amount as an equitable lien upon a contract to land, plaintiffs appeal. Affirmed.

F. C. Moon, of Lynchburg, for appellants.

A. B. Dickinson and *A. L. Holladay*, both of Richmond, for appellees.

CORNELL *v.* FORBES et al.

March 13, 1913.

[77 S. E. 481.]

Equity (§ 377*)—Trial—Directing Issues—Evidence.—The weight of evidence being clearly against a plaintiff upon each and all of his claims to relief, it was proper to refuse to direct an issue out of chancery.

[Ed. Note.—For other cases, see Equity, Cent. Dig. §§ 788-793; Dec. Dig. § 377.* 8 Va.-W. Va. Enc. Dig. 55; 14 Va.-W. Va. Enc. Dig. 592; 15 Va.-W. Va. Enc. Dig. 546.]

Appeal from Chancery Court of Richmond.

Suit by L. L. Cornell against W. S. Forbes and others. Decree for defendant Forbes, and plaintiff appeals. Affirmed.

S. A. Anderson, *A. G. Collins*, and *Jas. E. Cannon*, all of Richmond, for appellant.

Meredith & Cocke, of Richmond, for appellee.

SAVINGS BANK OF RICHMOND *v.* TODD et al.

March 13, 1913.

[77 S. E. 446.]

1. Judgment (§ 721*)—Prior Proceedings—Res Adjudicata.—Where a husband, about to execute an assignment for the benefit of creditors, executed a deed of trust settling certain property on his wife in consideration of her release of her dower interest in the residue

*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.